

Unit 2 Test

Multiple Choice

Identify the choice that best completes the statement or answers the question.

- _____ 1. A tort is
a. an offense against an individual b. an offense against society
- _____ 2. Which of the following is not a constitutional right of an accused?
a. the right to be subject to arrest only when there is probable cause c. the right to refuse to testify against oneself
b. the right to a private cell when in jail d. the right to be represented by a lawyer
- _____ 3. _____ defenses are based on the ability to disprove, justify, or excuse the alleged crime.
a. procedural b. substantive
- _____ 4. A crime is
a. an offense against an individual b. an offense against society
- _____ 5. Any object a judge allows to be presented to the jury that helps prove or disprove a case.
a. evidence c. subpoena
b. judgment d. verdict
- _____ 6. Which of the following is the best definition of contempt of court?
a. willful disregard of the instruction of one's lawyer c. words that express disrespect for witnesses
b. actions that interfere with the administration of justice d. failure to file an appeal on time
- _____ 7. Vicarious criminal liability refers to
a. accomplices c. children
b. corporations d. burglary
- _____ 8. What is the standard of proof in a criminal case?
a. none of the answers c. proof beyond a reasonable doubt
b. proof by clear and convincing evidence d. proof by preponderance of the evidence
- _____ 9. The decision of the jury.
a. witness c. judgment
b. subpoena d. verdict
- _____ 10. Which of the following would not create a procedural defense?
a. the establishment of an alibi c. the denial of the right to cross-examine witnesses
b. the use of force to coerce a confession d. failure to provide the defendant with a lawyer during a criminal trial
- _____ 11. _____ defenses are based on problems with the way evidence is obtained.
a. substantive b. procedural
- _____ 12. _____ is the use of force that appears to be necessary for the victim to prevent bodily harm, kidnapping, rape, or death.
a. criminal insanity c. lapse in judgment
b. self-defense d. immunity
- _____ 13. An unlawful or harmful touching is called
a. an invasion of privacy c. defamation
b. an assault d. battery
- _____ 14. Why would a defendant accept a plea bargain?
a. to confront the accuser at the trial c. to save the court time and money
b. to win favor with a judge d. to avoid the risk of being convicted of a more serious offense

- ____ 15. Which of the following compels a witness to appear in court and testify?
- a. the tort
 - b. the complaint
 - c. the verdict
 - d. the subpoena
- ____ 16. A threat with an apparent ability to do immediate injury is referred to as
- a. an invasion of privacy
 - b. defamation
 - c. an assault
 - d. battery
- ____ 17. In a jury trial, who decides issues of fact?
- a. the judges of the appellate court
 - b. the defendant
 - c. the trial judge
 - d. the jury
- ____ 18. A person who has personal knowledge of the facts of a case.
- a. verdict
 - b. judgment
 - c. witness
 - d. subpoena
- ____ 19. A type of negligence where the plaintiff's own actions were partial cause to the injury.
- a. assumption of risk
 - b. comparative negligence
 - c. contributory negligence
- ____ 20. A tort in which a person is deprived of freedom of movement.
- a. defamation
 - b. negligence
 - c. false imprisonment
 - d. fraud
- ____ 21. Which of the following would probably not be considered strict liability?
- a. raising tigers
 - b. selling defective car seats
 - c. raising tulips
 - d. storing several 100-gallon tanks of propane gas in your garage
- ____ 22. An intentional misrepresentation of an existing fact is called ____.
- a. negligence
 - b. defamation
 - c. false imprisonment
 - d. fraud
- ____ 23. A serious crime that is usually punishable by a long prison sentence in a federal prison.
- a. misdemeanor
 - b. felony
- ____ 24. _____ is classified as a crime against realty.
- a. murder
 - b. false imprisonment
 - c. burglary
 - d. slander
- ____ 25. Which of the following is not a defense to the tort of negligence?
- a. contributory negligence
 - b. comparative negligence
 - c. assumption of risk
 - d. fraud
- ____ 26. A brief outline of what the defendant and the plaintiff will try to prove.
- a. opening statements
 - b. evidence
 - c. closing statements
 - d. judgment
- ____ 27. Criminal intent generally means that the defendant
- a. intended to do evil and commit the act.
 - b. intended to do evil.
 - c. intended to commit the act.
 - d. none of the answers.
- ____ 28. What can the government do to compel a witness to testify after she or he has asserted the right against self-incrimination?
- a. grant immunity
 - b. ask the judge to hold the witness in contempt
 - c. arrest the witness
 - d. plea bargain
- ____ 29. A type of negligence where the plaintiff knowingly subjects himself to danger.
- a. comparative negligence
 - b. contributory negligence
 - c. assumption of risk
- ____ 30. True or False: Corporate officers can be held criminally responsible for an employee's crime.
- a. True
 - b. False

Unit 2 Test

Answer Section

MULTIPLE CHOICE

- | | |
|------------|--------|
| 1. ANS: A | PTS: 1 |
| 2. ANS: B | PTS: 1 |
| 3. ANS: B | PTS: 1 |
| 4. ANS: B | PTS: 1 |
| 5. ANS: A | PTS: 1 |
| 6. ANS: B | PTS: 1 |
| 7. ANS: B | PTS: 1 |
| 8. ANS: C | PTS: 1 |
| 9. ANS: D | PTS: 1 |
| 10. ANS: A | PTS: 1 |
| 11. ANS: B | PTS: 1 |
| 12. ANS: B | PTS: 1 |
| 13. ANS: D | PTS: 1 |
| 14. ANS: D | PTS: 1 |
| 15. ANS: D | PTS: 1 |
| 16. ANS: C | PTS: 1 |
| 17. ANS: D | PTS: 1 |
| 18. ANS: C | PTS: 1 |
| 19. ANS: C | PTS: 1 |
| 20. ANS: C | PTS: 1 |
| 21. ANS: C | PTS: 1 |
| 22. ANS: D | PTS: 1 |
| 23. ANS: B | PTS: 1 |
| 24. ANS: C | PTS: 1 |
| 25. ANS: D | PTS: 1 |
| 26. ANS: A | PTS: 1 |
| 27. ANS: A | PTS: 1 |
| 28. ANS: A | PTS: 1 |
| 29. ANS: C | PTS: 1 |
| 30. ANS: A | PTS: 1 |